



General Assembly

January Session, 2001

***Amendment***

LCO No. 7952

Offered by:  
SEN. LOONEY, 11<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1182

File No. 584

Cal. No. 386

***"AN ACT CONCERNING VARIOUS TAX LAWS ADMINISTERED  
BY THE DEPARTMENT OF REVENUE SERVICES."***

1 In line 284, strike the opening bracket before "(b)"

2 In line 298 strike the closing bracket and after the period insert the  
3 following:

4 "This subsection shall apply to services that are rendered prior to  
5 August 2, 2002, provided, if a court of competent jurisdiction enters a  
6 final judgment on the merits that is based on federal law, that is no  
7 longer subject to appeal, and that substantially limits or impairs the  
8 essential elements of Sections 116 to 126, inclusive, of Title 4 of the  
9 United States Code, this subsection shall also apply to services that are  
10 rendered on or after the date of entry of such judgment."

11 In line 299, strike "(b)" and insert "(c)" in lieu thereof

12 Strike lines 396 to 409, inclusive, in their entirety and insert the  
13 following in lieu thereof:

14        "(7) This subsection shall apply to services that are rendered on or  
15 after August 2, 2002, provided, if a court of competent jurisdiction  
16 enters a final judgment on the merits that is based on federal law, that  
17 is no longer subject to appeal, and that substantially limits or impairs  
18 the essential elements of Sections 116 to 126, inclusive, of Title 4 of the  
19 United States Code, this subsection shall be invalid and have no legal  
20 effect as of the date of entry of such judgment.

21        (d) If nontaxable charges are aggregated with and not separately  
22 stated from taxable charges for telecommunications services, then the  
23 nontaxable charges may be subject to tax unless the provider can  
24 reasonably identify charges not subject to tax under this chapter from  
25 its books and records that are kept in the regular course of business. A  
26 customer may not rely upon the nontaxability of charges for services  
27 unless the customer's provider separately states the charges for  
28 nontaxable services from taxable charges for telecommunications  
29 services or the provider elects, after receiving written request from the  
30 customer in the form required by the provider, to provide verifiable  
31 data based upon the provider's books and records that are kept in the  
32 regular course of business that reasonably identifies the nontaxable  
33 charges."

34        Strike section 23 in its entirety and renumber the remaining sections  
35 accordingly

36        After line 1011, insert the following and renumber the remaining  
37 section accordingly:

38        "Sec. 27. Subsection (d) of section 32-305 of the general statutes is  
39 repealed and the following is substituted in lieu thereof:

40        (d) Notwithstanding the provisions of this section, (1) the funds  
41 segregated by the Commissioner of Revenue Services under subsection  
42 (a) of this section that are attributable to a hotel opened [, or to new  
43 rooms added to an existing hotel,] in the city of Hartford on or after  
44 May 2, 2000, shall be allocated (A) ten per cent to the Greater Hartford  
45 Arts Council, and (B) ninety per cent to the Capital City Economic

46 Development Authority to be used by the authority, among other  
47 purposes, for start-up and operating expenses of, and a replacement  
48 reserve for, the convention center, as defined in section 32-600, and (2)  
49 commencing July 1, 2003, and continuing until such time as the Capital  
50 City Economic Development Authority shall certify to the  
51 Commissioner of Revenue Services that such an additional source of  
52 revenue is no longer needed by the authority to meet current or  
53 projected operating deficiencies of the convention center, fifty per cent  
54 of the excess of (A) the funds segregated by the Commissioner of  
55 Revenue Services each month under subsection (a) of this section that  
56 are attributable to gross receipts from sales in the Greater Hartford  
57 district established in section 32-302, exclusive of such amounts  
58 otherwise allocated to the capital city economic development district  
59 pursuant to this section, over (B) the average monthly amount  
60 segregated and allocated to the Greater Hartford district under  
61 subsection (a) of this section, exclusive of such amounts allocated to  
62 the Capital City Economic Development Authority, during the fiscal  
63 year ending June 30, 2000, shall be allocated to the Capital City  
64 Economic Development Authority and used by the authority  
65 exclusively to pay, or to fund an operating expense reserve account to  
66 provide for the future payment of, start-up and operating expenses of  
67 the convention center. In the event that at any time the Capital City  
68 Economic Development Authority determines that amounts deposited  
69 and then held in such operating expense reserve account pursuant to  
70 this section are no longer needed to meet current or projected  
71 operating deficiencies of the convention center, the authority shall  
72 return such amounts to the Greater Hartford district for use in  
73 accordance with its purposes."

74 In line 1016, after the semi-colon, insert "section 26 shall be  
75 applicable to taxable years commencing on or after January 1, 2001;"